



STAFF REPORT

Clarification of Planning Commission Appeal Fee

Honorable Mayor and Council Members:

Summary

Staff is seeking clarification regarding recent revisions to the Master Fee schedule for appeals from the Planning Commission decisions to the City Council.

Background and Discussion

During the final Budget Hearing on June 22, 2004, Council adopted a new Master Fee schedule, which included an increase of Planning Commission appeal fee from the existing fee of \$100 to a new fee of \$650. During that discussion, the issue was raised regarding the existing policy in which the appeal fee is to be refunded if the appellant prevails at the City Council hearing. However, in Council's final motion to adopt the revised Master Fee Schedule, the refund was not specifically addressed. Staff would like to clarify whether or not it was Council's desire to continue or discontinue this practice.

Fiscal Impact

None, if fee is nonrefundable. Should Council elect to continue to refund the fee if appellant prevails, there will be an impact to the Development Services Fund, which will need to be addressed at a subsequent meeting.

Recommendation

Staff recommends that Council discontinue the previous policy of refunding the appeal fee if the appellant prevails. Alternately, Council could elect to continue past practice; however, direction will be needed for the resulting budgetary impact to the Development Services Fund.

Respectfully submitted,

Terri Cook, City Clerk

Jere Kersnar, City Manager